

Introduced by Senator Perata

February 23, 2007

An act to amend Section 13201 of the Water Code, relating to water quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 1001, as introduced, Perata. California regional water quality control boards: membership.

The Porter-Cologne Water Quality Control Act establishes 9 regions for the purposes of the act, each governed by a California regional water quality control board of 9 members appointed by the Governor, with prescribed experience or associations. The act requires that each regional board member represent and act on behalf of all the people and reside or have a principal place of business within the region. Under the act, if an appointment cannot be made for the county government member because of a restriction under existing law on income directly or indirectly from any person subject to waste discharge requirements or applicants for waste discharge requirements, the act authorizes the appointment of persons not specifically associated with any category.

This bill would revise those provisions to establish regional boards of 5 members, with positions for members with a degree or prescribed experience in biological science, public sector finance, urban planning, public health, and environmental justice. Each member would be required to be appointed on the basis of his or her demonstrated interest and proven ability in the field of water pollution control and understanding of the water pollution problems in their region and his or her ability to attend substantially all meetings of the regional board, and to actively discharge all duties and responsibilities of a member of the regional board. If an appointment cannot be made in accordance

with those requirements for specified experience, the bill would require the appointment of a person who possesses at least 10 years of experience in improving water quality.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13201 of the Water Code is amended to
2 read:

3 13201. (a) There is a regional board for each of the regions
4 described in Section 13200. Each board shall consist of the
5 following ~~nine~~ *five* members appointed by the Governor, each of
6 whom shall represent and act on behalf of all the people and shall
7 reside or have a principal place of business within the region:

8 ~~(1) One person associated with water supply, conservation, and~~
9 ~~production.~~

10 ~~(2) One person associated with irrigated agriculture.~~

11 ~~(3) One person associated with industrial water use.~~

12 ~~(4) One person associated with municipal government. Upon~~
13 ~~the next vacancy occurring in this office on or after January 1,~~
14 ~~2004, this person shall be a city council member or mayor.~~

15 ~~(5) One person associated with county government. Upon the~~
16 ~~next vacancy occurring in this office on or after January 1, 2004,~~
17 ~~this person shall be a county supervisor.~~

18 ~~(6) One person from a responsible nongovernmental~~
19 ~~organization associated with recreation, fish, or wildlife.~~

20 ~~(7) Three persons not specifically associated with any of the~~
21 ~~foregoing categories, two of whom shall have special competence~~
22 ~~in areas related to water quality problems.~~

23 *(1) One person who holds at least a master's degree in*
24 *biological science, such as biology or ecology, with preferred*
25 *experience in aquatic biology or ecology.*

26 *(2) One person who has experience with public sector finance,*
27 *with preferred experience with water quality or watershed*
28 *improvement projects.*

29 *(3) One person who holds at least a master's degree in urban*
30 *planning or a closely related discipline, with preferred experience*
31 *with programs for achieving water quality objectives.*

1 (4) *One person who holds at least a master's degree in public*
2 *health, with preferred expertise concerning the health*
3 *consequences of impaired water quality.*

4 (5) *One person who has experience representing an*
5 *environmental justice community, with preferred knowledge about*
6 *the impact of water quality on low-income communities.*

7 (b) *Each member shall be appointed on the basis of his or her*
8 *demonstrated interest and proven ability in the field of water*
9 *pollution control and understanding of the water pollution*
10 *problems in their region.*

11 (c) *Each member shall be appointed on the basis of his or her*
12 *ability to attend substantially all meetings of the regional board,*
13 *and to actively discharge all duties and responsibilities of a*
14 *member of the regional board.*

15 ~~(b)~~

16 (d) All persons appointed to a regional board ~~shall be~~ *are* subject
17 to Senate confirmation, but ~~shall~~ *are* not be required to appear
18 before any committee of the Senate for purposes of such
19 confirmation, unless specifically requested to appear by the Senate
20 Committee on Rules.

21 ~~(e)~~

22 (e) Insofar as practicable, appointments shall be made in such
23 manner as to result in representation on the board from all parts
24 of the region.

25 ~~(d)~~

26 (f) Notwithstanding subdivision (a), if ~~appointments an~~
27 ~~appointment cannot be made pursuant to paragraph (5) of in~~
28 ~~accordance with subdivision (a) because of the requirements of~~
29 ~~Section 13388, those appointments may, the appointment shall be~~
30 ~~made of persons not specifically associated with any category a~~
31 ~~person who possesses at least 10 years of experience in improving~~
32 ~~water quality.~~

33 SEC. 2. The reduction in the number of members on each
34 regional board required by subdivision (a) of Section 13201 of the
35 Water Code, shall be achieved according to the ordinary expiration
36 of terms of incumbents and other vacancies. After a regional board
37 consists of only five members, an individual subsequently

- 1 appointed to fill a vacancy shall possess the qualifications specified
- 2 in Section 13201 of the Water Code.

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